

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	20 Cr. 369-02 (LGS)
-against-	:	
	:	
	:	<u>ORDER</u>
JASON PICHARDO,	:	
	:	
Defendant,	:	
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LORNA G. SCHOFIELD, District Judge:

WHEREAS, a sentencing hearing is currently scheduled for July 19, 2021, at 11:00 a.m.

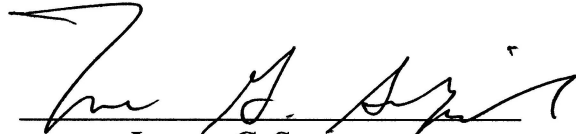
WHEREAS, in light of the COVID-19 pandemic, it is unlikely that Defendant can be physically produced for an in-person sentencing. However, the Second Circuit has recognized, in cases such as *United States v. Salim*, 690 F.3d 115 (2d Cir. 2012), that a defendant can knowingly and voluntarily waive his right to be physically present at sentencing. A newly-scheduled sentencing will proceed only if the Defendant waives physically appearing. If Defendant chooses not to waive, the sentencing will be rescheduled for a later date. It is hereby

ORDERED that as soon as possible but no later than **July 30, 2021**, the parties shall file a joint letter stating whether they consent to the Court conducting this proceeding via videoconference and/or telephone conference. It is further

ORDERED that, subject to the parties' consent, the sentencing hearing is adjourned to **September 23, 2021, at 11:00 a.m.** and will be conducted via videoconference. Counsel for the Government and for Mr. Pichardo are directed to appear and will be provided with call-in instructions via email. Members of the public may attend by dialing the audio-only line, (888) 363-4749, using Access Code 558-3333. In the event the video technology does not function as

expected, Defendant and counsel also shall call this number.

Dated: July 16, 2021
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE